

**AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A WATERLINE
EASEMENT AND A SEWER EMERGENCY ACCESS EASEMENT OVER PORTIONS
OF PROPERTY KNOWN AS A PART OF NORTH OAKS PLAZA, U.S. ROUTE 1 AND
NORTH OAKS BOULEVARD, NORTH BRUNSWICK, MIDDLESEX COUNTY,
NEW JERSEY, ALSO KNOWN AS A PORTION OF BLOCK 140.01, LOT 10.01
ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF NORTH BRUNSWICK,
MIDDLESEX COUNTY, STATE OF NEW JERSEY**

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township of North Brunswick is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Township of North Brunswick has the power to acquire any real property or property interests for a public purpose through negotiated agreement; and

WHEREAS, North Brunswick Route 1, LLC is the owner ("Owner") of property known as North Oaks Plaza, U.S. Route 1 and North Oaks Boulevard, North Brunswick, New Jersey, also known as Block 140.01, Lot 10.01, on the Official Tax Map of the Township of North Brunswick, Middlesex County, State of New Jersey ("Property") upon which certain utilities have been installed; and

WHEREAS, the Township of North Brunswick has determined that it would serve a public purpose for it to acquire a Waterline(s) and Waterline Easement over, upon, through, under and across a portion of the Property, ("Waterline Easement") to access the utilities to inspect, use, maintain, repair and replace, the utilities and any other appurtenances installed as further described on a legal description entitled "Metes and Bounds description, proposed waterline easement Lot 10.01, Block 140.01, Township of North Brunswick, Middlesex County, State of New Jersey "Prepared by Control Point Associates, dated October 16, 2014 and revised November 14, 2014 and November 20, 2014", attached hereto and made a part hereof, and a map entitled, "Proposed Waterline Easement Sketch, Raymour & Flanagan Furniture, 1345 US Route 1, Lot 10.01, Block 140.01, Township of North Brunswick, Middlesex County, New Jersey" prepared by Control Point Associates, Inc., dated October 16, 2014 and revised November 14, 2014 and November 20, 2014, attached hereto and made a part hereof, and a Storm Sewer Emergency Access Easement over, upon, through, under and across a portion of the property for the purpose of performing "Emergency Activities" in respect to the Storm Sewer as further described on a legal description entitled "Metes and Bounds description, proposed Storm Sewer Easement Lot 10.01, Block 140.01, Township of North Brunswick, Middlesex County, State of New Jersey" prepared by Control Point Associates, dated October 16, 2014 and revised November 14, 2014 and November 20, 2014" attached hereto and made a part hereof, and a map entitled, "Proposed Storm Sewer Easement Sketch, Raymour & Flanagan Furniture, 1345 US Route 1, Lot 10.01, Block 140.01, Township of North Brunswick, Middlesex County, New Jersey" prepared by Control Point Associates, Inc., dated October 16, 2014 and revised November 14, 2014 and November 20, 2014, attached hereto and made a part hereof, in order to preserve the health, safety and welfare of the citizens of the Township of North Brunswick; and

WHEREAS, the Owner of the Property comprising the Easements has agreed to grant and convey said Easements to the Township of North Brunswick for nominal compensation therefor.

NOW, THEREFORE BE IT ORDAINED, by the Township Council of the Township of North Brunswick, County of Middlesex and State of New Jersey that the acquisition of the Waterline(s) and a Waterline Easement and Storm Sewer Emergency Access Easement over, upon, through, under and across a portion of the property known as a part of North Oaks Plaza, U.S. Route 1 and North Oaks Boulevard, North Brunswick, New Jersey, also known as a portion of Block 140.01, Lot 10.01 on the Official Tax Map of the Township of North Brunswick, Middlesex County, State of New Jersey, to inspect, use, maintain, repair and replace, the waterline and to perform emergency activities on the storm sewer, be and is hereby authorized and approved; and

BE IT FURTHER ORDAINED, that the Mayor and Clerk are hereby authorized to execute and witness, respectively, the Waterline Easement Agreement and Storm Sewer Emergency Access Easement granting such easements, copies of which are attached hereto and, or any other documents necessary to effectuate the acquisition of such Waterline(s), Waterline Utility Easement and Storm Sewer Emergency Access Easement; and

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, This Ordinance shall take effect upon passage and publication in accordance with applicable law.

TITLE

This Ordinance shall be known and may be cited as the Ordinance Acquiring a Waterline Easement and a Storm Sewer Emergency Access Easement over a portion of North Oaks Plaza, U.S. Route 1 and North Oaks Boulevard, also known as Block 140.01, Lot 10.01 on the Official Tax Map of the Township of North Brunswick, Middlesex County, State of New Jersey.

Robert Lombard
Business Administrator

Ronald H. Gordon, Esq.
Township Attorney
Approved as to legal form

Michael C. Hritz
Director, Department of Community Development

RECORDED VOTE FIRST READING

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA				
ANDREWS				
CORBIN				
DAVIS				
SOCIO				
NICOLA				
MAYOR WOMACK				

RECORDED VOTE SECOND READING

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA				
ANDREWS				
CORBIN				
DAVIS				
SOCIO				
NICOLA				
MAYOR WOMACK				

CERTIFICATION

I hereby certify that the above Ordinance was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on December 15, 2014.

Lisa Russo, Township Clerk

EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication in accordance with applicable law.

- ☐ APPROVED
☐ REJECTED

Francis Womack, Mayor
Township of North Brunswick

Date signed: _____, 2014